

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

KENT PURCHASE,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Civil No. 15-cv-1075-JPG-CJP
	)	
CAROLYN W. COLVIN,	)	
Acting Commissioner of Social Security,	)	
	)	
Defendant.	)	
	)	

**MEMORANDUM and ORDER**

Before the Court is the pro se Plaintiff's Motion to Review More Evidence. (Doc. 26).

Plaintiff seeks judicial review of the final order denying his application for social security benefits pursuant to 42 U.S.C. §405(g). He now asks the Court to consider additional evidence that his condition has been worsening since the denial of his application.

The scope of judicial review here is limited. "The findings of the Commissioner of Social Security as to any fact, if supported by substantial evidence, shall be conclusive. . . ." 42 U.S.C. § 405(g). The Court's task here is to determine whether the ALJ's findings were supported by substantial evidence and whether any errors of law were made. See, *Books v. Chater*, 91 F.3d 972, 977-78 (7th Cir. 1996) (citing *Diaz v. Chater*, 55 F.3d 300, 306 (7th Cir. 1995)).

Put simply, the issue before the Court is not whether plaintiff is *now* disabled; rather, the issue is whether the evidence that was before the ALJ was sufficient to support her denial of plaintiff's application. In determining this issue, the Court cannot consider evidence that was not before the ALJ. *Luna v. Shalala*, 22 F.3d 687, 689 (7th Cir. 1994). Medical records that postdate the ALJ's decision cannot be the basis for remand, even if they demonstrate that

plaintiff's condition has worsened since the date of the ALJ's decision. *Schmidt v. Barnhart*, 395 F.3d 737, 742 (7th Cir. 2005).

Plaintiff's Motion to Review More Evidence (Doc. 26) is **DENIED**.

**IT IS SO ORDERED.**

**DATE:** 11/28/2016

s/J. Phil Gilbert  
**J. PHIL GILBERT**  
**DISTRICT JUDGE**